

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DATE FILED **DEC 19 2007**
INFORMATION

UNITED STATES OF AMERICA

- v. -
ROSENDO FERRERA,

Defendant.

COUNT ONE

07CR1201

JOHN CASTEL
The United States Attorney charges:

1. On or about September 20, 2007, in the Southern District of New York and elsewhere, ROSENDO FERRERA, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ROSENDO FERRERA, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 1 kilogram and more of mixtures and substances containing a detectable amount of heroin in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt act, among

others, was committed in the Southern District of New York:

a. On or about September 20, 2007, ROSENDO FERRERA, the defendant, lent a car to a co-conspirator not named herein to pick up a package containing heroin.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ROSENDO FERRERA, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

Substitute Asset Provision

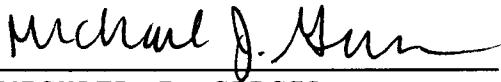
5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants --

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or

- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INFORMATION

07 Cr. 1

(21 U.S.C. § 846)

MICHAEL J. GARCIA
United States Attorney

December 19, 2007 - Information filed.
December 19, 2007 - The defendant Rosendo Ferrera and his attorney
Anne Ulenbach Canton are present. Mrs. Justice Wong is present.
Court Interpreter Anna Hess is present. Court Reporter Ann Houston
is present. See transcript. The defendant waives indictment. The
defendant is arraigned and pleads not guilty. The government
will complete discovery in two weeks. The defense will review
the complete discovery and discuss the filing of any motions. The
Court schedules a pretrial conference for January 24, 2008
at 9:45 a.m. Time is excluded. The defendant
is remanded.

Michael J.